



ROBERT B. TAYLOR  
Chief Probation Officer

## COUNTY OF LOS ANGELES PROBATION DEPARTMENT

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(562) 940-2501



November 25, 2009

TO: Supervisor Don Knabe, Chairman  
Supervisor Gloria Molina  
Supervisor Mark Ridley-Thomas  
Supervisor Zev Yaroslavsky  
Supervisor Michael D. Antonovich  
*Robert B. Taylor*  
FROM: Robert B. Taylor  
Chief Probation Officer

SUBJECT: **DEPARTMENT OF JUSTICE SETTLEMENT AGREEMENT – FINAL  
QUARTERLY COMPLIANCE PROGRESS REPORT**

On November 23, 2004, the Board instructed the Chief Probation Officer to work with the County Counsel, the Directors of the Departments of Health Services (DHS) and Mental Health (DMH), the Superintendent of the Los Angeles County Office of Education (LACOE), and any other impacted County department or agency, to submit quarterly progress reports to the Board regarding corrective action taken related to the Department of Justice (DOJ) settlement agreement. This report covers the time period of May 1, 2009 to August 23, 2009, and is the final report related to the agreement as all items in the agreement have completed the formal compliance monitoring periods.

In August 2007, the Settlement Agreement was extended for an additional twenty-seven (27) months. Full compliance with the settlement agreement must be achieved by no later than August 23, 2009. In the extended agreement, LACOE's Special Education Provision (#46) was separated into five separate sections. The addition of four LACOE provisions raised the total number of provisions subject to the settlement agreement from fifty-two (52) to fifty-six (56).

Before a paragraph is considered implemented, it must undergo formal monitoring by the Monitors for one year. During the formal monitoring period, the Monitors evaluate the County's and LACOE's compliance with the paragraphs' provisions. The DOJ will classify paragraphs as implemented if the County and LACOE maintain substantial compliance with the paragraphs' provisions during the formal monitoring period.

Quarterly Reports to your Board generally cover a three-month reporting period. This report however, covers the time period of May 1, 2009 to August 23, 2009. This reporting



period was extended due to the agreement was scheduled to end on August 23, 2009, 23 days after the end of the quarterly reporting period. Accordingly, I wanted to be able to provide as full and accurate a summary of the progress made regarding the Settlement Agreement. Delays on the part of the Monitors submitting their final reports related to the agreement further delayed this report. These final reports were recently received by the Monitor and the County. The final Monitor's report related to the agreement will be published at the end of November, 2009.

### **STATUS OF PROVISIONS OVERVIEW**

The following is a status of the settlement agreement provisions. Of the 56 provisions:

- 56 (100%) are in compliance with the settlement agreement – As indicated in the attached, these provisions have been in formal monitoring for the required 12 consecutive months, and thus, are no longer required to be under formal monitoring.
- No provision remains to be moved into formal compliance monitoring status.

<b>COMPLIANCE STATUS OF SETTLEMENT AGREEMENT PROVISIONS CURRENT &amp; PRIOR QUARTER COMPARISON</b>		
<b>Compliance Category</b>	<b>Prior Reporting Period</b>	<b>Current Reporting Period</b>
Number of Provisions in Compliance	50 (89%)	56 (100%)
Number of Provisions in 12-month Formal Monitoring Stage	6 (11%)	0 (0%)
Number of Provisions Anticipated to Begin Formal Monitoring in the Next Reporting Period	0 (0%)	0 (0%)
Number of Provisions <u>Not</u> Anticipated to be Ready for Formal Monitoring During the Next Reporting Period	0 (0%)	0 (0%)
<b>TOTAL</b>	<b>56</b>	<b>56</b>
<b>TOTAL PROVISIONS IN COMPLIANCE OR IN 12-MONTH FORMAL MONITORING</b>	<b>56 (100%)</b>	<b>56 (100%)</b>

**SUMMARY OF COUNTY AND LACOE PROGRESS: MAY 1, 2009 – AUGUST 23, 2009**

During the extended quarterly reporting period, May 1, 2009 through August 23, 2009, six (6) provisions completed the formal monitoring process. Currently, all fifty-six (56) Provisions (100%) have completed the formal monitoring process. No County or LACOE provisions remain to be placed into, or to complete, the formal monitoring process.

**AUDITOR-CONTROLLER'S OVERSIGHT OF THE QUALITY ASSURANCE TEAM**

The Auditor-Controller continued to provide oversight of the Quality Assurance (QA) Team, which consisted of staff from the Auditor-Controller, DHS, DMH and Probation. The QA Team is responsible for monitoring the County's implementation of the settlement agreement provisions.

Currently, no paragraphs remain to be moved into formal compliance monitoring. During the current reporting period, the following six remaining paragraphs were granted full compliance for the one-year monitoring requirement, bringing the total number of paragraphs in full compliance to 56 of the 56 paragraphs:

			<u>Monitoring Start Date</u>
#27	Staffing	Probation	July 1, 2008
#29	Use of Force	Probation	July 1, 2008
#32	Use of Force Review	Probation	July 1, 2008
#46.3	Screening for Special Education	LACOE	July 15, 2008
#46.4	Individual Educational Programs	LACOE	Aug 24, 2008
#49	Transition Planning and Services	LACOE	Aug 1, 2008

Please contact me if you have any questions or require additional information, or your staff may contact Ron Barrett, Los Angeles County DOJ Project Manager at (323) 226-8876.

RBT:RB:dn

Attachment

c: Sachi A. Hamai, Executive Officer, Board of Supervisors  
William T Fujioka, Chief Executive Officer  
Robert Kalunian, Acting County Counsel  
Wendy L. Watanabe, Auditor-Controller  
Dr. John Schunhoff, Interim Director, Department of Health Services  
Dr. Marvin J. Southard, Director, Department of Mental Health  
Darline P. Robles, Ph.D., Superintendent, Los Angeles County Office of Education



## PROVISIONS IN COMPLIANCE WITH SETTLEMENT AGREEMENT

<u>Provision #</u>	<u>Subject of Provision</u>	<u>Responsible Agency</u>	<u>Completion Date</u>
#8	Mental Health Staffing	DMH	Nov 30, 2006
#9	Screening	DMH/LACOE	May 31, 2006
#10	Assessments (initial identification)	DMH	Feb 27, 2009
#11	Treatment Planning	DMH	Feb 29, 2009
#12	Implementation of the Treatment Plan	DMH	Feb 29, 2009
#13	Counseling Services	DMH	Feb 29, 2009
#14	Record-Keeping	DMH & JCHS	Jun 30, 2006
#15	Individualized Behavior Modification	ALL	Feb 29, 2009
#16	Substance Abuse	DMH/Probation	Feb 29, 2009
#17	Psychotropic Medications	Probation	Nov 30, 2006
#18	Restraints	Probation	Feb 27, 2009
#19	Access to Care for Medical Services	Probation	Nov 30, 2006
#20	Staff Understand Mental Health Needs	All	Nov 30, 2006
#21	Housing of Youth with Disabilities	Probation	May 31, 2006
#22	Suicide Prevention	Probation/LACOE	Feb 27, 2009
#23	Sharing of Information	Probation/LACOE	Feb 27, 2009
#24	Assessment (ongoing evaluations)	DMH	Feb 27, 2009
#25	Management of Suicidal Youth	DMH/Prob/LACOE	Feb 29, 2009
#26	Care for Self-Harming Youth	DMH/Probation	Feb 29, 2009
#27	Staffing	Probation	June 30, 2009
#28	Chemical Restraint	Probation	Feb 29, 2009
#29	Use of Force	Probation	June 30, 2009
#30	Supervision of Youth	Probation/LACOE	Oct 31, 2006
#31	Child Abuse Investigation	Probation	Feb 29, 2009
#32	Use of Force Review	Probation	June 30, 2009
#33	Rehabilitation	Probation/LACOE	Feb 29, 2009
#34	Group Punishment	Probation	May 31, 2006
#35	Reduce Youth-on-Youth Violence	Probation/LACOE	April 1, 2009
#36	Youth Movement between Halls	Probation	Jun 30, 2006
#37	Orientation to Juvenile Hall	Probation	Dec 31, 2006
#38	Grievance System	Probation	Nov 30, 2006
#39	Youth with Special Needs	JCHS	May 31, 2006
#40	Transportation to Outside Appointments	Probation	Nov 30, 2006
#41	Medical Records Transfer	JCHS/Probation	Nov 19, 2008
#42	Confidentiality	Prob. & JCHS	May 31, 2006
#43	Access to Care-Mental Health Services	Probation	Nov 30, 2006
#44	Eyeglasses	JCHS	Sep 01, 2007
#45	Hygiene	JCHS/Probation	Apr 27, 2007
#46.1	Special Education at Upon Intake	LACOE	Dec 31, 2008
#46.2	Staffing	LACOE	Nov 30, 2008
#46.3	Screening for Special Education	LACOE	July 14, 2009
#46.4	Individual Educational Programs	LACOE	Aug 23, 2009
#46.5	Training and Quality Assurance	LACOE	Feb 1, 2009

## PROVISIONS IN COMPLIANCE - CONTINUED

<u>Provision #</u>	<u>Subject of Provision</u>	<u>Responsible Agency</u>	<u>Completion Date</u>
#47	Related Services	LACOE	Dec 31, 2008
#48	Parent Participation	LACOE	Nov 30, 2008
#49	Transition Planning and Services	LACOE	Jul 31, 2009
#50	Materials, Space and Equipment	LACOE	Feb 20, 2009
#51	Security	Probation	Nov 30, 2006
#52	Fire Safety	Probation	Dec 01, 2007
#53	Food Safety	Probation	Dec 01, 2007
#54	Medically-Necessary Diets	Probation	Dec 01, 2007
#55	Youth Hygiene	Probation	Feb 1, 2009
#56	Audit Process for DOJ	ALL	Feb 1, 2009
#67	Consent Forms	Prob/JCHS/DMH	May 31, 2006
#68	Implementation Plan	All	May 31, 2006
#69	Document Review	All	Aug 31, 2006

TOTAL PROVISIONS: 56 (100%)

## PROVISIONS IN 12-MONTH FORMAL MONITORING COMPLIANCE STAGE

<u>Provision #</u>	<u>Subject of Provision</u>	<u>Responsible Agency</u>	<u>Effective Date</u>
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TOTAL PROVISIONS: 0 (0%)

## PROVISIONS ANTICIPATED TO BEGIN FORMAL MONITORING IN THE NEXT REPORTING PERIOD

<u>Provision #</u>	<u>Subject of Provision</u>	<u>Responsible Agency</u>	<u>Anticipated Date</u>
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TOTAL PROVISIONS: 0 (0%)

## PROVISIONS NOT ANTICIPATED TO BE READY FOR FORMAL MONITORING DURING THE NEXT REPORTING PERIOD

<u>Provision #</u>	<u>Subject of Provision</u>	<u>Responsible Agency</u>	<u>Anticipated Date</u>
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TOTAL PROVISIONS: 0 (0%)